

DIST. OFFICE	DOCKET NUMBER	FILING MO. DAY	J	N/S	O	R	F 23	EMAND OTHER	JUDGE NUMBER	JURY DEM.	DOCKET YR. NUMBER
1085/4	76	0494	09	29	76	4	890	1	214	8570 8571 8579	76 0494-8

PLAINTIFFS

TEXACO, INC. a Delaware Corporation

DEFENDANTS

JOSEPH M. RICHARDS, HARLAN A. CARTER, JR., JAMES H. McCLELLAND, MIRIAM T. McCLELLAND, LUCY McCLELLAND BEESON, CATHERINE CHAPMAN, MATILDA SNEE, MARY FORD, ROBERT HERRIOTT, TIMOTHY HERRIOTT, MARGARET ROYSTER AND JACK L. HART

CAUSE

28 USC 1335
Interpleader by plaintiff of \$29,831.48 subject to adverse claims.

ATTORNEYS

John M. Imel
Moyers, Martin, Conway
Santee & Imel 320 S. BOSTON
920 National Bank of Tulsa Bldg.
Tulsa, Oklahoma 74103
918-582-5281

Philip R. Wimbish
P. O. Box 2420
Tulsa, Oklahoma 74102

Joe S. Cline (Joseph Richards,
3166 East 40th St. Harlan Carter, &
Tulsa, Okla. 74105 James H. McClellan

Phillips Breckinridge
Jack Hart and Brown, Breckinridge
& Messler 1501 Main Bldg. (Miriam T.
500 West 7th Street McClelland, Lucy
Tulsa, Okla. 74119 McClelland Beeson
582-5141 Catherine Chapman
Matilda Snee and
Jack L. Hart)

Wm. C. Porter (Timothy Herriott)
307 Washington Trust Bldg.
Washington, D. C. 15301

☐ CHECK
HERE
IF CASE WAS
FILED IN
FORMA
PAUPERIS

FILING FEES PAID

DATE

RECEIPT NUMBER

C.D. NUMBER

STATISTICAL CARDS

CARD DATE MAILED
JS-5 10-1-76
JS-6 9-1-87

DATE 1976	NR.	PROCEEDINGS
9-29	1.	Complaint filed, summons issued.s
9-29	2.	Order, filed, that defts. herein and all persons acting by or on behalf of them are restrained from instituting or prosecuting any proceeding in any State or Fed. Ct. adversely affecting the royalty proceeds or the determination or payment of proceeds which are involved in this interpleader action and which are claimed in the suit styled Joseph M. Richards, et. al. v. Texaco Inc., No. C-76-1550, Dist. Ct. of Tulsa County, St. of Okla, and any other cause of action instituted by any of the said defendants; further that defendants show cause before this Ct. at hearing to be held at 11:00 A.M. on 11-9-76 as to why the injunction should be set aside otherwise this order is to remain in force against the said defendants restraining said defts. and all persons acting by and on their behalf including their attys. from instituting or prosecuting any proceeding in any St. or Fed. Ct adversely affecting the deposited royalty proceeds, or the future determination of payment of such royalty proceeds under the oil and gas lease held by Texaco; and further that service of this order as to all named defendants will be made by U. S. Marshals and further that a copy of the summons and complaint and this order be served upon Joe S. Cline, Atty. at Law, 3166 E. 40th St., Tulsa, Ok., who represents certain of the defendants in the above described cause of action, and further that defts. shall serve any answering motions or affidavits to this order on or before the 18th day of October, 1976.s (AEB-J)
10-15	3.	Deft's motion to remand suit to state court and brief, filed.s
10-18	MO	It is ordered by the Court that the Plaintiff file a responsive brief within ten (10) days to Defts. Joseph Richards, Harlan A. Carter, Jr., and James Harvey McClelland's mot. to remand suit to State Court.s (AEB-J) cps. mld.
10-26	4.	Pltf's response to motion to remand suit to State Ct. by defts. Joseph M. Richards, Harlan A. Carter, Jr. and James Harvey McClelland, filed.s
10-26	MO	Case referred to Mag. Morris L. Bradford for F & R on defendants' motion to remand. (AEB-J)s
10-26	5.	Defts. Miriam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee and Jack L. Hart's application for an ext. of 15 days in which to ans. w/order as part of application, filed, granting ext. to 11-10-76.s (JCS-Clk) cps. mld.
11-1	6.	Answer and Affidavit of deft. Timothy Herriott, filed. 1m
11-1	7.	Defts. ^{Jack L. Hart} Miriam T. McClelland, Lucy MCClelland Beeson, Catherine Chapman and Matilda Snee's motion to modify restraining order, filed.s
11-1	8.	Defts. ^{Jack L. Hart} Miriam T. McClelland, Lucy McClelland Beeson, Catherine Chapman and Matilda Snee's brief in support of motion to modify restraining order, filed.s
11-2	MO	It is ordered by the Court that the pltf. file a responsive brief w/in five (5) days to defts. Miriam T. McClelland, Lucy McClelland Beeson, Catherine Chapman and Matilda Snee's motion to modify restraining order.s (AEB-J) cps. mld.
11-3	9.	Defts Mariam McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart REQUEST for the admission of facts and genuineness of documents of deft. Joseph M. Richards, filed. 1m
11-3	10.	Defts. McClelland, Beeson, Chapman, Snee, and Hart Interrogs. to deft. Richards, filed. 1m

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 76-C-494-8
TEXACO, INC.		Joseph M. Richards, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1976		Mariam T.	
11-3	11.	Defts/McClelland, Beeson, Chapman, Snee & Hart Interrogs to deft. Harlan A. Carter, Jr., filed. lm	
11-3	12.	Defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee and Jack L. Hart interrogs. to deft James Harvey McClelland, filed. lm	
11-3	13.	Motion of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart for production of documents of James Harvey McClelland and his attorneys of record, filed. lm	
11-3	14	Motion of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart for production of documents of deft. Harlan A. Carter, Jr., and his attorneys of record, filed. lm	
11-3	15.	Motion of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart for production of documents of Joseph M. Richards and his attorneys of record, filed. lm	
11-3	16.	Motion of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart for production of documents of pltf. Texaco, Inc., and its attorneys of record, filed. lm	
11-3	17.	Request of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart to Harlan A. Carter, Jr. and his attorneys of record for the admission of facts and genuineness of documents, filed. lm	
11-3	18.	Request of defts. Mariam T. McClelland, Lucy McClelland Beeson, Catherine Chapman, Matilda Snee, and Jack L. Hart to James Harvey McClelland and his attorneys of record for the admission of facts and genuineness of documents, filed. lm	
11-5	19.	Brief of pltf. Texaco Inc. in response to motion of defts. Jack L. Hart, Miriam T. McClelland, Lucy McClelland Beeson, Catharine Chapman and Matilda Snee to modify restraining order, filed.s	
11-9		Case called for hearing that defts' show cause why injunction should be set aside. Parties represented. Mr. Breckenridge moves for admission of J. L. Hart for purpose of this case; oath administered. Statements made by Imel; Breckenridge & E. Carr who is appearing for Mr. Cline. Ct. finds that restraining will be kept in effect, but is modified whereby permitting Texas Ct. to proceed w/action there. Deft's motion to remand is overruled. Mr. Imel to prepare order in 5 days & defts' will have 5 days to agree to form of order & Order to be presented to Court in 10 days. (AEB-J)b	
11-10	20	Pltf's response to mot. for production of documents, filed.k	
11-15	21.	Order, filed, overruling defts' mot. to remand. Further, that defts' mot. to modify restraining order is sustained & said order remains in full force except that action filed in Winkler County, TX, styled Chapman, et al v. Richards, et al is allowed to continue to determine rights to royalty interest. Further, that USDC for NDO retains jurisdiction pending resolution of TX action, and further order of the Court. (AEB-J)k cps mld	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF

Texaco Inc

DEFENDANT

Joseph M. Richards

DOCKET NO. 76-C-494-B

PAGE ____ OF ____ PAGES

DATE	NR.	PROCEEDINGS
<u>1976</u>		
11-17	22.	ANSWER of defs., Miriam McClelland, Lucy M. Beeson, Catherine Chapman, Matilda Snee & Jack L. Hart, filed. rm
11-24		Summons ref. & filed: served Joe S. Cline, Tulsa, Ok. 10-1-76; James H. McClelland, Vallejo, Ca., 10-4-76; Jack L. Hart, Midland, Tx. & Mary Ford, Big Rock Ill. by serving herhusband, 10-5-76; Harlan A. Carter, Jr., Indianapolis, Ind., and Joseph M. Richard, Tulsa, Ok. 10-6-76; Catherine Chapman, Oceanside Ca, 10-11-76; Lucy McClelland Beeson, St. Davids, Pa., 10-14-76; Timothy Herriott, Washington, Pa. 10-21-76; Miriam T. McClelland, Pittsburgh, Pa. 10-27-76; Matilda Snee, Sun City, Ariz. 10-28-76; unserved as to Robert Herriott. (USM \$187.00)g
<u>1978</u>		
1-13	MO	Case set for report to the Court on status of case on 2-1-78 at 10:00 a.m. (AEB-J)k cps by cert ml
1-23	MO:	IT IS ORDERED that this case be stricken from the disposition docket set for 2-1-78. IT IS FURTHER ORDERED that the pltf. report to the Court monthly until April 30, 1978, as to progress in the State Court action. If the case has not been disposed of as of 4-30-78, IT IS ORDERED That the abatement entered in this case, upon proper motion be lifted. (AEB-J)b nts mld
4-11	--	Letter from John Imel, pltf. counsel, to Judge Barrow, filed as status report with recommendation that abeyance be continued for an additional 30 to 60 days to conclude and resolve the Texas litigation. k
5-1	--	Letter from John Imel, filed as status report recommending abeyance be continued until title problems are resolved in Texas litigation. b
<u>1979</u>		
3-16	MO	Case transferred to Judge H. Dale Cook. (JCS-Clk)k
11-9	MO:	CASE TRANSFERRED TO JUDGE JAMES O. ELLISON. (JCS-CLK)jc
<u>1980</u>		
2-12-80	MO:	CASE SET FOR STATUS REPORT on 3-7-80 at 1:30 p.m. (JOE-J)ra ntc mld
3-7	Min.	HRG. STATUS REPORT. Status report fld. Parties to file further report in 6 mos. (JOE-J)b
3-7	23	REPORT ON STATUS & progress of Texas litigation. b
11-21	MO	CASE SET for disposition on 12-1-80 at 1:30 p.m. for failure of parties to file status report (due 9-7-80). (JOE-J)k ntc mld
11-25	24	REPORT from deflt on status & progress of TX litigation. am
11-26	MO	STATUS report having been filed is ^{case} stricken from disposition dkt on 12/1/80 at 1:30.am ntc/phone
<u>1981</u>		
6-10	25	REPORT of deflt on status & progress of Tex. litigation. jc
1982		
1-28	26	REPORT on status and progress of Texas Litigation. cs

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____
Texaco		Joseph M. Richards, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1982			
11-3	MO:	ORDERED that all parties file a Status Report by 11-15-82 & every 60 days thereafter(JOE-J)b n/m	
11-15	27 28	STATUS REPORT. fld by defts.nd	
1983			
1-19	28	STATUS REPORT in ltr form from Defts. b	
3-18	29	STATUS REPORT in ltr from from defts.b	
5-13	30	Status Report in ltr. form from defts.cs	
7-19	31	STATUS REPORT of defts. dm	
9-16	32	STATUS REPORT of defts. dm	
1984			
1-10	33	STATUS REPORT of defts. cs	
1-13	34	STATUS REPORT of debt, Hart. dm (in letter form)	
2-17	--	Letter rec. re: status that case set for hrg. 2-29-84.cs	
5-8	35	STATUS REPORT of debt. tj	
5-22	36	STATUS REPORT of debt, Jack L. Hart. (in letter form) dm	
9-13	37	STATUS REPORT in letter form (referring to ltrs of 7-9-84 & 5-17-84) (JOE-J)b	
11-15	38	STATUS REPORT (in letter form). hm	
1985			
1-14	39	STATUS REPORT of pltf (in letter form) t	
3-14	40	STATUS REPORT. (in letter form) tj	
5-17	41	STATUS REPORT of defts. (in letter form) t	
7-16	42	STATUS REPORT of defts. (in letter form) tj	
9-19	43	STATUS REPORT of defts. (in letter form) t	
11-15	44	STATUS REPORT of defts. (in letter form) t	
1986			
1-24	45	STATUS report of pltf re: Hrng to be set in Winkler Co.(in letter form) t	
3-25	46	STATUS REPORT of debt. (in letter form) t	

2/10/87 left missing w/ Buchanan see

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF TEXACO		DEFENDANT RICHARDS, ET AL	DOCKET NO. _____ PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
5-28-86	--	LTR recd from Breckinridge, that Judgment should become final in Tx case in June '86.b	
<u>1987</u> 5-18	47	STATUS report of deflt Hart.(in letter form)(case concluded) t	
7-21	48	APPLICATION of deflt Jack Hart for order of distribution of the proceeds held by clerk & interplead by pltf.(O to JC) t 2029 7/21	
7-24	49	ORDER that clerk is directed to distribute funds in the amount of \$29,831.40 to those persons in the proportions designated in the final judg of 109th Dist. Ct, Tx. (JOE-J) c/m t	
7-24	50	ORDER ENTERED that case is dismissed & closed & that clerk is directed to disburse funds held .(TRB for JOE-J) c/m t (EOD 7-30-87)	

6/10 Breckinridge preparing papers for distribution of funds
2/20/87 Breckinridge says that he has been ill for some time & just getting back to work now, after some